

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>VICTOR LLOYD MITCHELL,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>Civil Action No. 1:11-cv-02217</b>
<b>v.</b>	:	
	:	<b>(Chief Judge Kane)</b>
<b>JOEL R. HOGENTOGLER and</b>	:	
<b>WILLIAM B. JACKSON,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:**

Before the Court is Magistrate Judge Blewitt's Report and Recommendation (Doc. No. 22) that Plaintiff's case be dismissed without prejudice for failure to comply with the Court's January 26, 2012 order in which the Court granted him thirty days to file an amended complaint with respect to his Fourteenth Amendment claim (Doc. No. 18). In the report, Judge Blewitt also recommends that Plaintiff's case be dismissed without prejudice for failure to prosecute his action, and that his motion for leave to proceed in forma pauperis (Doc. No. 2) be granted solely for the purpose of filing this action. No timely objections have been filed.

**ACCORDINGLY**, on this 3rd day of April 2012, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Blewitt's Report and Recommendation (Doc. No. 22) is **ADOPTED**;
2. Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 2) is **GRANTED** solely for the purpose of filing this action;
3. This action is **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing an amended complaint in accordance with the Court's January 26, 2012 order (Doc. No. 18) within twenty-one days of the date of this order;

4. If Plaintiff does not file an amended complaint within twenty-one days of the date of this order, the Clerk of Court is directed to close the case; and
5. If Plaintiff files an amended complaint within twenty-one days of the date of this order, all further proceedings in this matter are referred to Magistrate Judge Blewitt.

S/ Yvette Kane  
Yvette Kane, Chief Judge  
United States District Court  
Middle District of Pennsylvania